

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA	)	Facility ID No. 72672
)	
Permittee of FM Station KNGS, Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.	)	Facility ID No. 3365
)	
Permittee of FM Station KAAX, Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL SERVICES, INC.	)	Facility ID No. 9993
)	
Permittee of FM Station KYAF, Firebaugh, California)	
)	
H. L. CHARLES D/B/A FORD CITY BROADCASTING	)	Facility ID No. 22030
)	
Permittee of FM Station KZPE, Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING	)	Facility ID No. 37725
)	
Licensee of FM Station KZPO, Lindsay, California)	

To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge Richard L. Sippel

**ENFORCEMENT BUREAU'S MOTION TO COMPEL THE ESTATE OF H.L.
CHARLES D/B/A FORD CITY BROADCASTING TO PROVIDE COMPLETE
RESPONSES TO OUTSTANDING DISCOVERY REQUESTS**

1. On June 4, 2015, the Presiding Judge directed the parties to commence discovery on all issues set forth in the Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing (*Order*).¹ In compliance with that *Order*, the Enforcement Bureau (Bureau) served its first set of interrogatories and document requests on The Estate of H.L. Charles d/b/a Ford City Broadcasting (FCB).² FCB's responses to these discovery requests contain nothing but baseless objections.³ FCB did not provide a single substantive response to *any* document request or interrogatory. Pursuant to Sections 1.323(c) and 1.325(a)(2) of the Commission's rules,⁴ the Bureau therefore moves to compel FCB to provide complete discovery responses.

2. For example, FCB objects that nearly all of the Bureau's interrogatories and document requests seek information that is irrelevant and not calculated to lead to the discovery of admissible evidence.⁵ These perfunctory objections are groundless. Many of the discovery requests seek information concerning the efforts that FCB, as a permittee, has taken to comply

¹ See *Order*, FCC 15M-21 (ALJ, rel. June 4, 2015), at 2.

² See Enforcement Bureau's First Set of Interrogatories to The Estate of H.L. Charles d/b/a Ford City Broadcasting, served Jul. 28, 2015, attached hereto as Exhibit A; Enforcement Bureau's First Set of Requests for Production of Documents to The Estate of H.L. Charles d/b/a Ford City Broadcasting, served Jul. 29, 2015, attached hereto as Exhibit B.

³ See Response to Enforcement Bureau's First Set of Interrogatories to The Estate of H.L. Charles d/b/a Ford City Broadcasting, served Aug. 14, 2015 (two days late), attached hereto as Exhibit C; Response to Enforcement Bureau's First Set of Requests for Production of Documents to The Estate of H.L. Charles d/b/a Ford City Broadcasting, served Aug. 11, 2015, attached hereto as Exhibit D.

⁴ See 47 C.F.R. §§ 1.323(c), 1.325(a)(2).

⁵ See, e.g., Exhibit C at Nos. 1, 3-17, 20; Exhibit D at Nos. 5-9, 11-13.

with the construction permit for Station KZPE⁶ – an issue which is central to the HDO.⁷

Additional requests seek information concerning FCB's obligation to maintain proper public inspection files in compliance with Section 73.3526 of the Commission's rules.⁸ This too is a central issue in the HDO.⁹ Thus, this information is relevant and should be produced.

3. FCB also objects to many of these same discovery requests on the basis that the information or documents requested are already in the FCC's files and records.¹⁰ This objection turns the Commission's public inspection file requirements on their head, and would discharge FCB from the requirement to themselves maintain, and produce upon request, such files. Indeed, the HDO requires the Presiding Judge to determine, in part, whether FCB violated Commission rules by failing to maintain proper public inspection files.¹¹ As such, the Bureau is entitled to question whether FCB maintained these documents, as required by the Commission's rules, regardless of whether they may also be in the Commission's records. Accordingly, FCB should be compelled to respond to the Bureau's requests.¹²

4. Lastly, FCB inappropriately relies on the attorney-client privilege as a basis to refuse to respond to the Bureau's requests that FCB confirm whether Mr. Zawila was, and is,

⁶ See, e.g., Exhibit A at Interrogatory Nos. 1, 3-6, 10-13; Exhibit B at Request Nos. 5-8.

⁷ See, e.g., HDO at ¶¶ 55-59, 113(b), 113(c).

⁸ See, e.g., Exhibit A at Interrogatory Nos. 8-9; Exhibit B at Request Nos. 1-3, 11. 47 C.F.R. § 73.3526. Section 73.3526(e) lists the contents to be retained in the public inspection file, and includes a requirement to retain a "copy of any application tendered for filing with the FCC." See 47 C.F.R. § 73.3526(e)(2).

⁹ See, e.g., HDO at ¶ 113(d).

¹⁰ See, e.g., Exhibit C at Nos. 1-7, 10-17; Exhibit D at Nos. 1-6, 8, 10-11.

¹¹ See, e.g., HDO at ¶ 113(d).

¹² FCB relied on this same objection in response to the Bureau's discovery requests concerning FCB's responses to the January 25, 2002 letter sent by the Media Bureau's Audio Division. See Exhibit D at No. 10, *see also* Exhibit B at Request No. 10. However, the HDO questions whether these documents were ever produced to the Commission. See, e.g., HDO at ¶ 63. Thus, for FCB to now attempt to direct the Bureau to the Commission's own files is evasive and FCB should be compelled to provide the responsive information and/or documents, or concede that no such information or documents exist.

authorized to represent FCB. Issue 113(a) and (b) in the HDO are directed to whether Mr. Zawila, acting “on behalf” of FCB, acted unlawfully.¹³ As is evident from the Bureau’s discovery requests, the Bureau merely seeks to ascertain Mr. Zawila’s status as a representative for FCB (and does not, for example, seek any legal advice he may have provided to his clients).¹⁴ As such, the Bureau is not seeking any privileged information. FCB also relies – without justification – on the attorney-client privilege in response to the Bureau’s request that FCB identify the individuals on whom FCB may rely at the hearing.¹⁵ As guided by Rule 26 of the Federal Rules of Civil Procedure, at a minimum, the Bureau is certainly entitled to know if FCB is aware of individuals with information that FCB deems relevant to its claims or defenses.¹⁶ Moreover, the identification of the individuals FCB expects to call at hearing is not privileged information and should be provided.

Conclusion

5. For the reasons stated above, the Bureau respectfully requests that the Presiding Judge issue an order compelling FCB to serve comprehensive responses to the Bureau’s first set of interrogatories and first set of document requests within 14 days.

¹³ See, e.g., HDO at ¶¶ 113(a)-(b).

¹⁴ See Exhibit A at Interrogatory Nos. 14-15; Exhibit B at Request Nos. 12-13.

¹⁵ See Exhibit C at No. 20, *see also* Exhibit A at Interrogatory No. 20.

¹⁶ See Fed. R. Civ. P. 26 (a)(1)(A)(i).

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau

A handwritten signature in black ink, appearing to read "Pamela S. Kane", written over a horizontal line.

Pamela S. Kane
Special Counsel
Investigations and Hearings Division
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Federal Communications Commission
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Michael Engel
Special Counsel
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August 21, 2015

CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 21st day of August, 2015, sent copies of the foregoing "ENFORCEMENT BUREAU'S MOTION TO COMPEL THE ESTATE OF H.L. CHARLES D/B/A FORD CITY BROADCASTING TO PROVIDE COMPLETE RESPONSES TO OUTSTANDING DISCOVERY REQUESTS to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
& (714) 636-5042 (facsimile)
(by facsimile and first-class mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)


Alicia McCannon

Exhibit A

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA)	Facility ID No. 72672
)	
Permittee of FM Station KNKS,)	
Coalinga, California)	
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AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
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Permittee of FM Station KAAX,)	
Avenal, California)	
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CENTRAL VALLEY EDUCATIONAL SERVICES, INC.)	Facility ID No. 9993
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Permittee of FM Station KYAF,)	
Firebaugh, California)	
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H. L. CHARLES D/B/A FORD CITY BROADCASTING)	Facility ID No. 22030
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Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE D/B/A LINDSAY BROADCASTING)	Facility ID No. 37725
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: The Estate of H.L. Charles d/b/a/ Ford City Broadcasting

**ENFORCEMENT BUREAU'S FIRST SET OF INTERROGATORIES
TO THE ESTATE OF H.L. CHARLES D/B/A/ FORD CITY BROADCASTING**

1. Pursuant to Section 1.323 of the Commission's rules, 47 C.F.R. § 1.323, the Enforcement Bureau (Bureau) hereby submits the following Interrogatories to The Estate of H.L. Charles d/b/a/ Ford City Broadcasting (FCB).

2. FCB shall deliver its responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th Street, S.W., Washington, D.C. 20554 (or at some other location that is mutually acceptable to the Bureau and FCB) within 14 days of the date of these interrogatories.

3. The obligation of FCB to answer these interrogatories is continuing in nature. FCB has an obligation to provide in the future any and all additional responsive information that may come to its attention subsequent to its answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that it submits. In this regard, FCB must supplement its initial and supplemental responses if it learns that, in some material respect, the responses initially provided, or as supplemented, were incomplete or incorrect or if additional responsive information is acquired by or has become known after its initial or supplemental responses.

DEFINITIONS

For the purposes of this document, the following definition shall apply:

a. "FCB" "you" and "your" shall refer to The Estate of H.L. Charles d/b/a/ Ford City Broadcasting, H.L. Charles d/b/a/ Ford City Broadcasting, any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated

company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

b. "William L. Zawila" and "Mr. Zawila" "shall mean William L. Zawila.

c. "Avenal" shall mean Avenal Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

d. "Central Valley" shall mean Central Valley Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

e. "Lindsay Broadcasting" shall refer to The Estate of Linda Ware d/b/a Lindsay Broadcasting, Linda Ware d/b/a Lindsay Broadcasting, any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

f. "EAS" shall mean Emergency Alert System.

- g. “KNGS” means radio broadcast station KNGS (FM), Coalinga, California.
- h. “KAAX” means radio broadcast station KAAX (FM), Avenal, California.
- i. “KYAF” means radio broadcast station formerly known under call sign KAJF (FM), Firebaugh, California.”
- j. “KZPE” means radio broadcast station LZPE (FM), Ford City, California.
- k. “KZPO” means radio broadcast station KZPO (FM), Lindsay, California.
- l. “Act” shall mean the Communications Act of 1934, as amended.
- m. “Commission” or “FCC” shall mean the Federal Communications Commission.
- n. “WTB” shall mean the Wireless Telecommunications Bureau of the Commission.
- o. “Audio Division” shall mean the Audio Division of the Commission’s Media Bureau.
- p. “HDO” shall refer to the Order to Show Cause, Notice of Opportunity for Hearing, and Hearing Designation Order, released by the Commission on July 16, 2003 in EB Docket No. 03-152.
- q. “FCC Form 854” shall mean the FCC Form 854 used to register structures used for wire or radio communication service in any area where radio services are regulated by the Commission; to make changes to existing registered structures or pending applications; or to notify the Commission of the completion of construction or dismantlement of structures, as required by Title 47 of the Code of Federal Regulations, Chapter 1, Part 17 (FCC Rules Part 17) which can be located at <https://transition.fcc.gov/Forms/Form854/854.pdf>.
- r. “Public Inspection Files” shall mean those files identified in Section 73.3526 of the Commission’s Rules.
- s. “Rules” means the Commission’s regulations found in Title 47 of the Code of Federal Regulations.

t. The terms/phrases “referring to,” “relating to” and/or “concerning,” as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

u. “State” and “describe” mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

v. The terms “identify” and “identification” when used in reference to an individual person mean to state his full name, last known residence and business telephone numbers, last known residence and business addresses, and his present or last known title, position and business affiliation.

w. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal place of business, and the main telephone number of such business entity.

x. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

y. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

z. The term “and” also means “or” and the term “or” also means “and.”

aa. The term “each” also means “every” and the term “every” also means “each.”

bb. The term “all” also means “any” and the term “any” also means “all.”

cc. The term “document” means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of FCB.

dd. "Discussion" means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. "Discussion" includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

ee. "Communication" means any discussion or any written or electronic correspondence or recorded voice message of any kind.

ff. "Employee" means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

gg. "Representative" means any consultant, expert, attorney, contractor or other individual or entity engaged by the designated entity to perform some task or assignment for the entity.

hh. "Entity" means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

ii. "Person" means any natural person or legal entity, including but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

Instructions

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses.

b. Unless otherwise specified, supply all annual data requested on a calendar-year basis; if any basis other than a calendar-year basis is used, such as to accommodate a fiscal-year basis, state as part of the response the nature and type of the basis so used.

c. In the event you are unable to respond to any Interrogatory, please explain why you are unable to respond.

d. Unless otherwise specified, supply all information requested for the period January 1, 1990 through the present.

INTERROGATORIES

1. Describe all efforts that were taken to construct the facilities at KZPE, including but not limited to, all discussions that were had with Robert F. Turner about building out the KZPE facilities.

2. Explain whether FCB filed an FCC Form 854 with WTB certifying the completion of construction of or otherwise concerning the tower (antenna structure) in connection with the permit for KZPE, and if not, explain why not.

3. Describe the facilities that currently exist at KZPE, including but not limited to, the antenna structure and whether there exists a staffed main studio.

4. Explain whether the KZPE antenna was ever mounted or connected.

5. Explain whether the tower for the KZPE antenna was dismantled, including but not limited to the reason or reasons such tower was dismantled and the date on which it was dismantled.

6. If the KZPE antenna was dismantled, explain whether it was ever reassembled, and if so the date on which that occurred.

7. If there was a point in time in which KZPE did not maintain a staffed main studio,

identify the time period(s) and explain why no such staffed main studio was maintained.

8. Identify all of the locations where KZPE has maintained its Public Inspection Files and state the time period(s) during which the Public Inspection Files were maintained at each location.

9. Identify any time period(s) in which KZPE did not maintain its Public Inspection Files since obtaining its construction permit, and for each such time period, explain why KZPE did not maintain its Public Inspection Files.

10. Identify the height and location of the antenna structure for KZPE since obtaining the construction permit for that station, and at all times thereafter.

11. Identify the program origination equipment that has been maintained on site for KZPE since obtaining the construction permit for that station, and at all times thereafter.

12. Identify the date on which construction of the facilities at KZPE in accordance with the construction permit was completed.

13. Explain whether KZPE was constructed in compliance with its construction permit, and if not, explain why it was not.

14. Explain whether Mr. Zawila was authorized to act for, or otherwise represent or act as counsel for, FCB related to KZPE, at the time FCB filed for a construction permit for KZPE, during the time periods referenced in the HDO, and at all times thereafter, and if not, explain why not.

15. Explain whether Mr. Zawila is authorized to act for, or otherwise represent, The Estate of H.L. Charles concerning KZPE, and if not, explain why not.

16. Identify all consultants, contractors, agents or other parties whom you hired to assist with, provide advice, administer, or complete construction of KZPE, including but not

limited to their names, addresses, contact information, and the time period(s) and purposes for which they were hired.

17. Explain whether KZPE is currently operating, and if not, explain why it ceased operations and the date on which it ceased operations.

18. Identify all individuals who assisted in the preparation of your responses to the Enforcement Bureau's First Set Of Requests For Production Of Documents to The Estate of H.L. Charles d/b/a/ Ford City Broadcasting., and state his or her full name; the particular response(s) that person assisted with; last known business and residence addresses; and last known business and residence telephone numbers.

19. Identify all individuals who assisted in the preparation of your responses to the Enforcement Bureau's First Set Of Interrogatories To The Estate of H.L. Charles d/b/a/ Ford City Broadcasting, and state his or her full name; the particular response(s) that person assisted with; last known business and residence addresses; and last known business and residence telephone numbers.

20. Identify each and every person that FCB expects to rely on as a witness and/or for whom FCB intends to submit written direct testimony for the hearing in this matter. For each and every person identified, state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Pamela S. Kane
Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
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Michael Engel
Special Counsel
Market Disputes Resolution Division
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Washington, D.C. 20554
(202) 418-7330

July 28, 2015

CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 28th day of July, 2015, sent by first class United States mail copies of the foregoing "ENFORCEMENT BUREAU'S FIRST SET OF INTERROGATORIES TO THE ESTATE OF H.L. CHARLES d/b/a/ FORD CITY BROADCASTING" to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554 (by hand, courtesy copy)

Austin Randazzo
Office of the Administrative Law Judge
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
(714) 636-5042 (facsimile)
(by facsimile and first-class mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)


Alicia McCannon

Exhibit B

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	EB Docket No. 03-152
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WILLIAM L. ZAWILA)	Facility ID No. 72672
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Permittee of FM Station KNKS, Coalinga, California)	
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AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
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CENTRAL VALLEY EDUCATIONAL SERVICES, INC.)	
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Permittee of FM Station KYAF, Firebaugh, California)	
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H. L. CHARLES D/B/A FORD CITY BROADCASTING)	
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Permittee of FM Station KZPE, Ford City, California)	
)	Facility ID No. 37725
LINDA WARE D/B/A LINDSAY BROADCASTING)	
)	
Licensee of FM Station KZPO, Lindsay, California)	

To: The Estate of H.L. Charles d/b/a Ford City Broadcasting

**ENFORCEMENT BUREAU'S FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS TO
THE ESTATE OF H.L. CHARLES D/B/A FORD CITY BROADCASTING**

Pursuant to Section 1.325 of the Commission's rules, 47 C.F.R. § 1.325, the Enforcement Bureau (Bureau) hereby requests that The Estate of H.L. Charles d/b/a Ford City Broadcasting

(FCB) produce the documents, as defined and specified herein, deliver the documents to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th Street, S.W., Washington, D.C. 20554 (or at some other location that is mutually acceptable to the Bureau and FCB) within ten (10) days of the date of this Request.

DEFINITIONS

For the purposes of this document, the following definition shall apply:

a. "FCB" "you" or "your" shall refer to The Estate of H.L. Charles d/b/a/ Ford City Broadcasting, H.L. Charles d/b/a/ Ford City Broadcasting, any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

b. "Central Valley" shall mean Central Valley Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

c. "Avenal" shall mean Avenal Educational Services, Inc., any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest

or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

d. "William L. Zawila" and "Mr. Zawila" shall mean William L. Zawila.

e. "Lindsay Broadcasting" shall refer to The Estate of Linda Ware d/b/a Lindsay Broadcasting, Linda Ware d/b/a Lindsay Broadcasting, any affiliate, d/b/a, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing.

f. "EAS" shall mean Emergency Alert System.

g. "Public Inspection Files" shall mean those files identified in Section 73.3526 of the Commission's Rules.

h. "Rules" means the Commission's regulations found in Title 47 of the Code of Federal Regulations.

i. "KNGS" means radio broadcast station KNGS (FM), Coalinga, California.

j. "KAAX" means radio broadcast station KAAX (FM), Avenal, California.

k. "KYAF" means radio broadcast station formerly known under call sign KAJF (FM), Firebaugh, California."

l. "KZPE" means radio broadcast station KZPE (FM), Ford City, California.

m. "KZPO" means radio broadcast station KZPO (FM), Lindsay, California.

n. "Act" shall mean the Communications Act of 1934, as amended.

o. "Commission" or "FCC" shall mean the Federal Communications Commission.

p. "WTB" shall mean the Wireless Telecommunications Bureau of the Commission.

q. "Audio Division" shall mean the Audio Division of the Commission's Media Bureau.

r. "FCC Form 854" shall mean the FCC Form 854 used to register structures used for wire or radio communication service in any area where radio services are regulated by the Commission; to make changes to existing registered structures or pending applications; or to notify the Commission of the completion of construction or dismantlement of structures, as required by Title 47 of the Code of Federal Regulations, Chapter 1, Part 17 (FCC Rules Part 17) which can be located at <https://transition.fcc.gov/Forms/Form854/854.pdf>.

s. The terms/phrases "referring to," "relating to" and/or "concerning," as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

t. "State" and "describe" mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

u. The terms "identify" and "identification" when used in reference to an individual person mean to state his full name, residence and business telephone numbers, and present residence and business addresses if known, and his present or last known title, position and business affiliation.

v. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal place of business, and the main telephone number of such business entity.

w. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

x. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

y. The term “and” also means “or” and the term “or” also means “and.”

z. The term “each” also means “every” and the term “every” also means “each.”

aa. The term “all” also means “any” and the term “any” also means “all.”

bb. The term “identify” when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

cc. The term “document” means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on

the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of FCB.

dd. "Discussion" means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. "Discussion" includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

ee. "Communication" means any discussion or any written or electronic correspondence or recorded voice message of any kind.

ff. "Employee" means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

gg. "Representative" means any consultant, expert, attorney, contractor or other individual or entity engaged by the designated entity to perform some task or assignment for the entity.

hh. "Entity" means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

ii. "Person" means any natural person or legal entity, including but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

Instructions

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses.

b. Unless otherwise specified, supply all annual data requested on a calendar-year basis; if any basis other than a calendar-year basis is used, such as to accommodate a fiscal-year basis, state as part of the response the nature and type of the basis so used.

c. Unless otherwise specified, supply all information requested for the period January 1, 1990 through the present.

Documents Requested

1. Documents constituting the complete application for a construction permit for KZPE, including but not limited to, any applications to modify this application.

2. Documents sufficient to show the Commission granted FCB a construction permit for KZPE.

3. Documents constituting the complete application for a license to cover the construction permit for KZPE.

4. Documents constituting any FCC Forms 854 filed with WTB certifying the completion of construction or otherwise concerning construction of the tower (antenna structure) in connection with the permit for KZPE.

5. All documents referring or relating to the construction of the KZPE tower, including, but not limited to, requests to secure engineering services, work orders, contracts, invoices, and purchase orders.

6. Documents sufficient to identify the location(s) of the antenna for KZPE since obtaining the construction permit.

7. All communications between you and Robert F. Turner regarding KZPE, including, but not limited to, any requests to secure engineering services, contracts, work orders, invoices, and purchase orders.

8. Documents sufficient to show that the facilities at KZPE were built as specified in the construction permit.

9. Documents sufficient to show that since obtaining the construction permit, KZPE has at all times thereafter maintained a staffed main studio.

10. All documents constituting your response(s) to a January 25, 2002 letter from the Audio Division concerning KZPE.

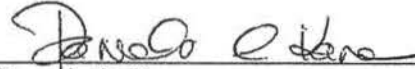
11. Documents constituting the Public Inspection Files for KZPE.

12. Documents sufficient to show that Mr. Zawila was authorized to serve as counsel for, or otherwise represent, FCB in relation to KZPE at the time an application for a construction permit was filed, during the time periods referenced in the HDO, and at all times thereafter.

13. Documents sufficient to show that Mr. Zawila is authorized to act on behalf of The Estate of H.L. Charles as it relates to KZPE.

Respectfully submitted,

Travis LeBlanc
Chief, Enforcement Bureau



Pamela S. Kane
Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, D.C. 20554
(202) 418-1420

Michael Engel
Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C366
Washington, D.C. 20554
(202) 418-7330

July 29, 2015

CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 29th day of July, 2015, sent copies of the foregoing "ENFORCEMENT BUREAU'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO THE ESTATE OF H.L. CHARLES D/B/A FORD CITY BROADCASTING" to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

Austin Randazzo
Office of Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

William Zawila, Esq.
12600 Brookhurst Street, Suite 105
Garden Grove, CA 92804-4833
(714) 636-5040 (telephone)
& (714) 636-5042 (facsimile)
(by facsimile and first-class mail)

Michael Couzens
Michael Couzens Law Office
6536 Telegraph Avenue
Suite B201
Oakland, CA 94609
(by first-class mail and email to cuz@well.com)

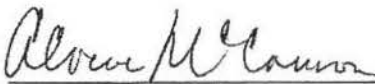

Alicia McCannon

Exhibit C

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA	)	Facility ID No. 72672
)	
Permittee of FM Station KNKS)	
Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICE, INC.	)	Facility ID No. 3365
)	
Permittee of FM Station KAAX,)	
Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL	)	Facility ID No. 9993
SERVICES, INC.)	
)	
Permittee of FM Station KYAF,)	
Firebaugh, California)	
)	
H. L. CHARLES d/b/a FORD CITY	)	Facility ID No. 22030
BROADCASTING)	
)	
Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE d/b/a LINDSAY	)	Facility ID No. 37725
BROADCASTING)	
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary
Attn: Chief Administrative Law Judge
Richard L. Sippel


RESPONSES TO ENFORCEMENT BUREAU'S FIRST SET OF
INTERROGATORIES TO THE ESTATE OF H.L. CHARLES

The Estate of H.L. Charles, Robert Willing, Executor, hereby
responds to the Enforcement Bureau's first set of interrogatories
as follows:

1. Objection. This interrogatory is vague, ambiguous, and overbroad. It seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. It is burdensome, oppressive, and causes unnecessary expense. It also seeks information already in the FCC's files and records. FCC Rule §1.325 specifies how such information must be obtained.
2. Objection. This interrogatory seeks information already in the FCC's files and records. FCC Rule §1.325 specifies how such information must be obtained.
3. Objection. Same as #1 above.
4. Objection. Same as #1 above.
5. Objection. Same as #1 above.
6. Objection. Same as #1 above.
7. Objection. Same as #1 above.
8. Objection. This interrogatory is vague, ambiguous, and overbroad. It also seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. It is also burdensome, oppressive, and causes unnecessary expense.
9. Objection. Same as #8 above.
10. Objection. Same as #1 above.
11. Objection. Same as #1 above.
12. Objection. Same as #1 above.
13. Objection. Same as #1 above.
14. Objection. Same as #1 above. It also seeks information protected by the attorney-client privilege.

15. Objection. Same as #14 above.
16. Objection. Same as #1 above.
17. Objection. Same as #1 above.
18. Objections made by attorney William L. Zawila.
19. Objections made by attorney William L. Zawila.
20. Objection. Same as #8 above. It also seeks information which is protected by the attorney work product privilege. It also seeks information which is protected by the attorney-client privilege.

Respectfully submitted,



William L. Zawila
Attorney For the Estate of
H.L. Charles, Robert Willing,
Executor
12600 Brookhurst Street - #105
Garden Grove, CA 92840
(714) 636-5040-Telephone
(714) 636-5042-FAX

8-14-15

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Response to Enforcement Bureau's 1st Set of Interrogatories to the Estate of H.L. Charles was served on the following by U.S. First Class Mail, postage prepaid, on 8-14-15:

Chief Administrative Law Judge
Richard L. Sippel

FCC

445 12th Street, S.W. - Room 1-C768
Washington, D.C. 20554

Pamela S. Kane, Esquire
Investigations and Hearings Division
Enforcement Bureau

FCC

445 12th Street, S.W. - Room 4-C366
Washington, D.C. 20554

Michael Couzens
6536 Telegraph Avenue -Suite B201
Oakland, CA 94609

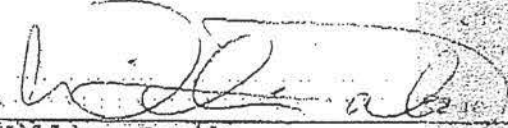

William Zawila

Exhibit D

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA	)	Facility ID No. 72672
)	
Permittee of FM Station KNKS)	
Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICE, INC.	)	Facility ID No. 3365
)	
Permittee of FM Station KAAX;)	
Avenal, California)	
)	
CENTRAL VALLEY EDUCATIONAL	)	Facility ID No. 9993
SERVICES, INC.)	
)	
Permittee of FM Station KYAF;)	
Firebaugh, California)	
)	
H. L. CHARLES d/b/a FORD CITY	)	Facility ID No. 22030
BROADCASTING)	
)	
Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE d/b/a LINDSAY	)	Facility ID No. 37725
BROADCASTING)	
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

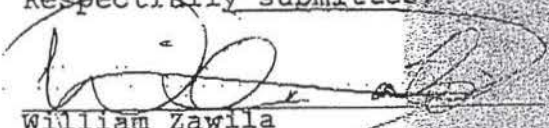
To: Enforcement Bureau, FCC

RESPONSE TO ENFORCEMENT BUREAU'S FIRST SET OF
REQUESTS FOR PRODUCTION OF DOCUMENTS TO THE
ESTATE OF H.L. CHARLES DBA FORD CITY BROADCASTING

The Estate of H.L. Charles, Robert Willing, Executor, hereby
responds to the Enforcement Bureau's first set of requests for
production of documents as follows:

1. Objection. The documents requested are already in the FCC's files and records. FCC Rule §1.325 specifies how these documents must be obtained.
2. Objection. Same as #1 above.
3. Objection. Same as #1 above.
4. Objection. Same as #1 above.
5. Objection. Same as #1 above. Additionally, this request is vague, ambiguous, and overbroad. This requests seeks irrelevant information not calculated to lead to the discovery of admissible evidence. This request is burdensome, oppressive, and causes unnecessary expense.
6. Objection. Same as #5 above.
7. Objection. Request is vague, ambiguous, and overbroad. Request seeks irrelevant information not calculated to lead to the discovery of admissible evidence. Request is burdensome, oppressive, and causes unnecessary expense.
8. Objection. Same as #5 above.
9. Objection. Same as #7 above.
10. Objection. Same as #1 above.
11. Objection. Same as #5 above.
12. Objection. Same as #7 above. Additionally, the request seeks information protected by the attorney-client privilege.
13. Objection. Same as #12 above.

Respectfully submitted,


William Zawilla
Attorney For the Estate of
H.L. Charles, Robert Willing,
Executor
12600 Brookhurst Street - #195
Garden Grove, CA 92840

8-11-15

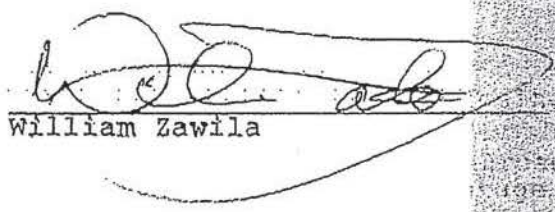
(714) 636-5040-Telephone
(714) 636-5042-FAX

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Response to Enforcement Bureau's 1st Set of Requests for Production of Documents to the Estate of H.L. Charles dba Ford City Broadcasting was served on the following by U.S. First Class Mail, postage prepaid, on 8-11-15:

Pamela S. Kane, Esquire
Investigations and Hearings Division
Enforcement Bureau
FCC
445 12th Street. S.W. - Room 4-C366
Washington, D.C. 20554

Michael Couzens
6536 Telegraph Avenue - Suite B201
Oakland, CA 94609



William Zawila